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\$46,537,079

Page 1 of 6

FART II-ATTROTES SOCIETIES	IDENTIFICATION NO.
TABLE A - OBJECT CLASS CATEGORY (Non-construction)	TOTAL APPROVED ALLOWABLE BUDGET PERIOD COST
1. PERSONNEL	\$ 622,533
2. FRINGE BENEFITS	167,131
3. TRAVEL	27,454
4. EQUIPMENT	8,500
S. SUPPLIES	10,769
	4,915,694
6. CONTRACTUAL 7. CONSTRUCTION	49,105,000
	17,000
8. OTHER	\$54,874,081
9. TOTAL DIRECT CHARGES 10. INDIRECT COSTS: RATE 32.7 % BASE SWF	251.086
10. INDIRECT COSTS: RATE 32.7% BASE SWF	
11. TOTAL (Share: Recipient 0 %. Federal 100 (RI/FS,RD) 90 (RA)	\$55,125,167
12. TOTAL APPROVED ASSISTANCE AMOUNT	s 49,954,380
TABLE B - PROGRAM ELEMENT CLASSIFICATION (Non-construction)	
Remedial Investigation/Feasibility Study	\$ 1,122,859
2. Remedial Design	2, 294, 442
3. Remedial Action	51, 707, 866
4.	
5.	
6.	
7.	
8.	
9.	
10.	
11.	
12. TOTAL (Share: Recipient 0 % Federal 100 (RI/FS, RD) 90 (RA)	\$55,125,167
13. TOTAL APPROVED ASSISTANCE AMOUNT	s 49,954,380
TABLE C - PROGRAM ELEMENT CLASSIFICATION (Construction)	
1. ADMINISTRATION EXPENSE	
2. PRELIMINARY EXPENSE	
3. LAND STRUCTURES, RIGHT-OF-WAY	
4. ARCHITECTURAL ENGINEERING BASIC FEES	
S. OTHER ARCHITECTURAL ENGINEERING FEES	
6. PROJECT INSPECTION FEES	
7. LAND DEVELOPMENT	
8. RELOCATION EXPENSES	
9. RELOCATION PAYMENTS TO INDIVIDUALS AND BUSINESSES	
IO. DEMOLITION AND REMOVAL	
11. CONSTRUCTION AND PROJECT IMPROVEMENT	
2. EQUIPMENT	
3. MISCELLANEOUS	
4. TOTAL (Lines 1 thru 13)	
5. ESTIMATED INCOME (II applicable)	
16. NET PROJECT AMOUNT (Line 14 minus 15)	
7 LESS: INELIGIBLE EXCLUSIONS	
8. ADD: CONTINGENCIES	
19 TOTAL (Share: Recipient	
20. TOTAL APPROVED ASSISTANCE AMOUNT	s

PART III-AWARD CONDITIONS

GENERAL CONDITIONS

The recipient covenants and agrees that it will expeditiously initiate and timely complete the project work for which assistance has been awarded under this agreement, in accordance with all applicable provisions of 40 CFR Chapter I, Subpart B. The recipient warrants, represents, and agrees that it, and its contractors, subcontractors, employees and representatives, will comply with: (1) all applicable provisions of 40 CFR Chapter I, Subchapter B, INCLUDING BUT NOT LIMITED TO the provisions of Appendix A to 40 CFP Part 30, and (2) any special conditions set forth in this assistance agreement or any assistance amendment pursuant to 40 CFR 30.425.

b. SPECIAL CONDITIONS

(For cooperative agreements include identification or summarization of EPA responsibilities that reflect or contribute to substantial involvement.)

The following Special Conditions are added, from the date of this amendment forward.

18. AUTHORITY

- The State recognizes that EPA's "Cooperative Agreements and Superfund State Contracts for Superfund Response; Final Rule" (40 C.F.R. Part 35 Subpart O) issued June 5, 1990 applies to the Remedial Action activities funded under this Cooperative Agreement.
- b. The State recognizes that EPA awards this Cooperative Agreement in accordance with 31 U.S.C. §6301 et seq., and that this agreement is subject to all applicable EPA assistance regulations.

19. LIMITATIONS ON CHARGING COSTS

The recipient is precluded from charging costs to this cooperative agreement for Remedial Action activities until a completed, signed "Disclosure of Lobbying Activities" form (enclosed) has been received by EPA.

DRUG-FREE WORKPLACE

The recipient's drug-free workplace policy applies to all work performed under this agreement.

21. ANTI-LOBBYING

No portion of this award may be used for lobbying or propaganda purposes as prohibited by 18 U.S.C. Section 1913 or Section 607(a) of Public Law 96-74. In addition, the recipient shall comply with Section 1352 of P.L. 101-121 entitled "Limitation on Use of Appropriated Funds to Influence Certain Federal Contracting and Financial Transactions." In accordance with 40 CFR Part 34, the enclosed "Disclosure of Activities Form" must be completed and returned (see Special Condition No. 2). In addition, all subcontractors awarded contracts in excess of \$100,000 must complete and return that form, if applicable, as well as the enclosed "Certification Regarding Lobbying Activities" form.

22. USE OF RECYCLED PAPER

As required by EPA Order 1000.25, dated January 24, 1990, the recipient agrees to use recycled paper for all reports which are prepared as a part of this agreement and delivered to the Agency. This requirement does not apply to reports which are prepared on forms supplied by EPA. This requirement applies even when the cost of recycled paper is higher than that of virgin paper.

23. UTILIZATION OF SMALL BUSINESSES IN RURAL AREAS (SBRAS)

In accordance with Section 129 of Public Law 100-590 (i.e., Small Business Act Amendments) the recipient agrees and is required to utilize the following affirmative steps if a contract is awarded under this assistance agreement;

- (a) placing SBRAs on solicitation lists;
- (b) making sure that SBRAs are solicited whenever they are potential sources;
- (c) dividing total requirements, when economically feasible, into small tasks or quantities to permit maximum participation by SBRAs;
- (d) establishing delivery schedules, where the requirements of work will permit, which would encourage participation by SBRAs;
- (e) using the services of the Small Business Administration and the Minority Business Development Agency of the U.S. Department of Commerce, as appropriate; and
- (f) requiring the contractor to take the affirmative steps in subparagraphs a. through e. of this part if subcontracts are awarded.

24. LETTER OF CREDIT PROCEDURES

- a. In accepting this Cooperative Agreement, the State agrees to the following conditions for the letter of credit method of financing:
 - 1. Cash drawdowns will occur only when needed for disbursements.
 - Timely reporting of cash disbursements and balances will be provided, as required by the EPA Letter of Credit Users Manual.
 - 3. The same standards of timing and reporting will be imposed on secondary recipients, if any.
 - 4. When a drawdown under the letter of credit occurs, the State will show on the voucher (Form TFCS-5805) the Cooperative Agreement number, the appropriate EPA account number, and the drawdown amount applicable to each site/activity account and operable unit (as applicable).

22. USE OF RECYCLED PAPER

As required by EPA Order 1000.25, dated January 24, 1990, the recipient agrees to use recycled paper for all reports which are prepared as a part of this agreement and delivered to the Agency. This requirement does not apply to reports which are prepared on forms supplied by EPA. This requirement applies even when the cost of recycled paper is higher than that of virgin paper.

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- (d) establishing delivery schedules, where the requirements of work will permit, which would encourage participation by SBRAs;
- (e) using the services of the Small Business Administration and the Minority Business Development Agency of the U.S. Department of Commerce, as appropriate; and
- (f) requiring the contractor to take the affirmative steps in subparagraphs a. through e. of this part if subcontracts are awarded.

24. MBE/WBE UTILIZATION REPORTING

The recipient agrees to submit to the EPA Project Officer a completed EPA Form 6005-1 within 15 days after the end of each Federal fiscal quarter during which the recipient or its contractors award any subagreements.

25. MAINTENANCE

In the proposed General Provisions of the application, Section I is hereby deleted and replaced with the following:

Pursuant to 42 U.S.C. Section 9604(c)(3), the State assures all future Maintenance (for the purpose of this Cooperative Agreement, the term "Maintenance" shall mean operating, repairing, servicing, environmental monitoring, or any other activity necessary to ensure normal performance and continuation in a good and serviceable condition) of Task IIB for the life of the project, which EPA and the State have determined to be 30 years. The costs of operating the groundwater restoration portion of the project for a period of ten years after the construction or installation and commencement of operation shall be paid for as provided in paragraph E.1. The costs of all

b. SPECIAL CONDITIONS (Continued)

Maintenance of all other portions of the remedy for a period of one year shall be paid for as provided in paragraph E.1. State shall pay for the costs of all Maintenance associated with the groundwater restoration after the ten year period, and all Maintenance of all other portions of the remedy after a period of one year. The State shall pay for its share for the cost of such Maintenance with monies which may from time to time be available in the Capital Appropriations Account (hereinafter the "Account") if payment of those costs has not been made from another source. If the Account money available for payment of those costs should be insufficient and the State has made no other arrangements for their payment, the New Jersey Department of Environmental Protection agrees to seek an appropriation of the funds necessary for the payment of those costs. Attached as Appendix D is a letter from the State demonstrating how such monies will be made available to assure payment of Maintenance costs pursuant to this paragraph. The State reserves the right to pursue other cost arrangements regarding Maintenance in future contracts and cooperative agreements, and, by signing this Cooperative Agreement, does not waive its right if any, to seek judicial review of the Maintenance issue.

PART IV

NOTE: The Agreement must be completed in duplicate and the Original returned to the Grants Administration Division for Headquarters awards and to the appropriate Grants Administrations Office for State and local awards within 3 calendar weeks after receipt or within any extension of time as may be granted by EPA.

Receipt of a written refusal or failure to return the properly executed document within the prescribed time, may result in the withdrawal of the offer by the Agency. Any change to the Agreement by the recipient subsequent to the document being signed by the EPA Award Official which the Award Official determines to materially alter the Agreement shall void the Agreement.

OFFER AND ACCEPTANCE

The United States of America, acting by and through the U.S. Environmental Protection Agency (EPA), hereby offers

New Jersey Department of Environmental Protection assistance/amendment to the

RECIPIENT OF GANIZATION

Combe Fill South, dated 7/2/90 revised 9/20/90

included herein by reference.

ISSUING OFFICE (Grants Administration Office) AWARD APPROVAL OFFICE ORGANIZATION/ADDRESS ORGANIZATION/ADDRESS U.S. Environmental Protection Agency Grants Administration Branch Region II Room 1714 26 Federal Plaza 26 Federal Plaza

THE UNITED STATES OF AMERICA BY THE U.S. ENVIRONMENTAL PROTECTION AGENCY

New York, New York 10278

TYPED NAME AND TITLE CONSTANTINE SIGNON-ENISCOTT DATE

Regional Administrator, Region II

This Agreement is subject to applicable U.S. Environmental Protection Agency statutory provisions and assistance regulations. In accepting this award or amendment and any payments made pursuant thereto, (1) the undersigned represents that he is duly authorized to act on behalf of the recipient organization, and (2, the recipient agrees (a) that the award is subject to the applicable provisions of 40 CFR Chapter I, Subchapter B and of the provisions of this agreement (Parts I thru IV), and (b) that acceptance of any payments constitutes an agreement by the payer that the amounts, if any found by EPA to have been overpaid will be refunded or credited in full to EPA.

BY AND ON BEHALF OF THE DESIGNATED RECIPIENT ORGANIZATION TYPED NAME AND TITLE Scott A. Weiner Commissioner

New York, New York 10278

<u>Cartification for Contracts. Grants. Loans. and Cooperative Acreements</u>
The undersigned cartifies, to the best of his or her knowledge and belief, that:

- (1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, ranewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
- (2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
- (3) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcentracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subracipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

NAME/TITIL OF AUTHORIZED REPRESENTATIVE

SIGNATURE OF AUTHORIZED REPRESENTATIVE

DATE



EPA Project Control Number	
•	

United States Environmental Protection Agency Washington, DC 20460

Certification Regarding Debarment, Suspension, and Other Responsibility Matters

The prospective participant certifies to the best of its knowledge and belief that it and its principals:

- (a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;
- (b) Have not within a three year period preceding this proposal been convicted of or had a civil judgement rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
- (c) Are not presently indicted for or otherwise criminally or civilly charged by a government entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and
- (d) Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State, or local) terminated for cause or default.

I understand that a faise statement on this cartification may be grounds for rejection of this proposal or termination of the award. In addition, under 18 USC Sec. 1001, a faise statement may result in a fine of up to \$10,000 or imprisonment for up to 5 years, or both.

Typed Name & Title of Authorized Representative	9/24/91
Signature of Authorized Representative	Date /
I am unable to certify to the above statements. My explanation is attached.	

DISCLUSURE OF LORRAING ACTIVITIES

Approved by Chi 0348-0046

Complete this form to disclose lobbying activities pursuant to 31 U.S.C. 1352

(See reverse for public burden disclosure.)

			-			
1.	Type of Federal Action:	2. Status of Federa	al Actions	3. Report Type:		
	a. contract	1 1	application	a. initial filing b. material change		
'	b. grant c. cooperative agreement	b. initial aw	<u>.</u>	For Material Change Only:		
1	d. loan .	C. post-awa	u	year quarter		
	e. loan guarantee f. loan insurance	•	·	date of last report		
4	Name and Address of Reporting Entit	iy:	5. If Reporting Entity in No. 4 is Subawardee, Enter Name			
	☐ Prime ☐ Subaward		and Address of Prime:			
		_ , if known:				
1	-					
	Congressional District. if known:		Congressional District. if known:			
-	Federal Department/Agency:	 	·	n Name Description:		
0-	rederal Department Agency.		,			
			CFDA Number,	if applicable:		
2	Federal Action Number, if known:		9. Award Amount	, if known:		
"			\$			
<u> </u>	a. Name and Address of Lobbying En	vin	h Individuals Perio	eming Services (including address if		
10.	(if individual, last name, first name,	, M/):	b. Individuals Performing Services (including address if different from No. 10a)			
			(last name, first n	ame, MD:		
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		lattaria Continuation She	l effs: SF411;A.if.necessarvi			
11.	Amount of Payment (check all that ag			nt (check all that apply):		
	S C actua		a. retainer			
	J C 4C.04	a = pranies	☐ b. one-time	e fee		
12.	Form of Payment (check all that apply	/i:	🗆 c. commiss			
1	Ci a. cash		☐ d. continge			
	☐ b. in-kind: specify: nature	ı	☐ e. deferred ☐ f. other, specify:			
	value					
14.	Brief Description of Services Perform	red or to be Perform	ned and Date(s) of Se	ervice, including officer(s), employee(s).		
	or Member(s) contacted, for Paymen	t Indicated in Item 1	11:			
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1	<i>:</i> _					
	(attach Continuation Sheet(s) SF-LL-A if necessary)					
15.	Continuation Sheet(s) SF-LLL-A attach		□ No			
15	Information requesters thereigh the force in such as	rad be note 11 U.S.C.	<u> </u>	-		
	Information requested through this form is authorized by title 31 U.S.C. section 1352. This disclosure of botoning activities is a material representation		Signature:			
	or fact upon which reliance was placed by the t transaction was made or entered into. This disciouse		1			
	31 U.S.C. 1352. This information will be reported to	the Congress semi-	{			
	annually and will be available for public impection. Any person who fain to file the required disciouse that be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.		t			
			Telephone No.: Date:			
L			<u> </u>	to a face		

INSTRUCTIONS FOR COMPLETION OF SF-LLL, DISCLOSURE OF LOBBYING ACTIVITIES

This disclosure form shall be completed by the reporting entity, whether subawardee or prime Federal recipient, at the initiation or receipt of a covered Federal action, or a material change to a previous filing, pursuant to title 31 U.S.C. section 1352. The filing of a form is required for each payment or agreement to make payment to any loobying entity for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with a covered Federal action. Use the SF-ILL-A Continuation Sheet for additional information if the space on the form is inadequate. Complete all items that apply for both the initial filing and material change report. Refer to the implementing guidance published by the Office of Management and Budget for additional information.

- 1. Identify the type of covered Federal action for which lobbying activity is and/or has been secured to influence the outcome of a covered Federal action.
- 2. Identify the status of the covered Federal action.
- 3. Identify the appropriate classification of this report. If this is a followup report caused by a material change to the information previously reported, enter the year and quarter in which the change occurred. Enter the date of the last previously submitted report by this reporting entity for this covered Federal action.
- 4. Enter the full name, address, city, state and zip code of the reporting entity. Include Congressional District, if known. Check the appropriate classification of the reporting entity that designates if it is, or expects to be, a prime or subaward recipient. Identify the tier of the subawardee, e.g., the first subawardee of the prime is the list tier. Subawards include but are not limited to subcontracts, subgrants and contract awards under grants.
- 5. If the organization filing the report in item 4 checks "Subawardee", then enter the full name, address, city, state and zip code of the prime Federal recipient. Include Congressional District, if known.
- 6. Enter the name of the Federal agency making the award or loan commitment. Include at least one organizational level below agency name, if known. For example, Department of Transportation, United States Coast Guard.
- 7. Enter the Federal program name or description for the covered Federal action (item 1). If known, enter the full Catalog of Federal Domestic Assistance (CFDA) number for grants, cooperative agreements, loans, and loan commitments.
- 8. Enter the most appropriate Federal identifying number available for the Federal action identified in item 1 (e.g., Request for Proposal (RFF) number, invitation for Bid (IFB) number, grant announcement number, the contract, grant, or loan award number, the application/proposal control number assigned by the Federal agency). Include prefixes, e.g., "RFF-DE-90-001."
- 9. For a covered Federal action where there has been an award or loan commitment by the Federal agency, enter the Federal amount of the award/loan commitment for the prime entity identified in item 4 or 5.
- 10. (a) Enter the full name, address, city, state and zip code of the lobbying entity engaged by the reporting entity identified in item 4 to influence the covered Federal action.
 - (b)Enter the full names of the individual(s) performing services, and include full address if different from 10 (a). Enter Last Name, First Name, and Middle Initial (MI).
- 11. Enter the amount of compensation paid or reasonably expected to be paid by the reporting entity (item 4) to the loopying entity (item 10). Indicate whether the payment has been made (actual) or will be made (planned). Check all boxes that apply. If this is a material change report, enter the cumulative amount of payment made or planned to be made.
- 12. Check the appropriate box(es). Check all boxes that apply. If payment is made through an in-kind contribution, specify the nature and value of the in-kind payment.
- 13. Check the appropriate box(es). Check all boxes that apply. If other, specify nature.
- 14. Provide a specific and detailed description of the services that the lobbyist has performed, or will be expected to perform, and the date(s) of any services rendered. Include all preparatory and related activity, not just time spent in actual contact with Federal officials. Identify the Federal official(s) or employee(s) contacted or the officens), employee(s), or Member(s) of Congress that were contacted.
- 15. Check whether or not a SF-LLL-A Continuation Sheetts) is attached.
- 16. The certifying official shall sign and date the form, print his/her name, title, and telephone number.

Public reporting burden for this collection of information is estimated to average 30 mintues per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0046), Washington, D.C. 20503.

CONTINUATION SHEET

Reporting Entity:	Page	of	
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